

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAUL G. HURLEY,

Defendant.

CASE NO. CR15-0336 JCC

ORDER CONTINUING TRIAL
DATE

This matter comes before the Court on Defendant's unopposed motion to continue the trial date and the pretrial motions deadline (Dkt. No. 18). Defendant has filed a waiver of his speedy trial rights through March 31, 2016. (Dkt. No. 21.) The government has no objection to a continuance. (Dkt. No. 18 at 1.) Having thoroughly considered the briefing and the relevant record, the Court finds oral argument unnecessary and hereby GRANTS the motion for the reasons explained herein.

Defense counsel represents that he requires more time to review discovery and conduct an independent investigation. More time is also necessary to discuss the issues with Defendant, Mr. Hurley, so that he can make an informed and intelligent decision on how to proceed. Defense counsel therefore requests that the trial date be continued to a date in February 2016, and that the pretrial motions deadline be reset consistent with that date. Accordingly, the Court finds:

1 (a) taking into account the exercise of due diligence, a failure to grant a continuance in
2 this case would deny defense counsel the reasonable time necessary for effective preparation,
3 due to counsel's need for more time to review the evidence, consider possible defenses, and
4 gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

5 (b) the additional time requested is a reasonable period of delay, as Defendant has
6 requested more time to prepare for trial, to investigate the matter, to gather evidence material to
7 the defense, and to consider possible defenses; and

8 (c) the ends of justice will best be served by a continuance, and the ends of justice
9 outweigh the best interests of the public and the defendant in any speedier trial, as set forth in 18
10 U.S.C. § 3161(h)(7)(A); and

11 (d) the additional time requested between the current trial date of December 14, 2015,
12 and the new trial date is necessary to provide defense counsel the reasonable time necessary to
13 prepare for trial, considering counsel's schedule and all of the facts set forth above.

14 (e) that the period of delay from the date of December 14, 2015 to the new trial date of
15 February 8, 2016, is excludable time pursuant to 18 U.S.C. 3161(h)(7)(A) and (h)(7)(B)(iv).

16 IT IS THEREFORE ORDERED that the trial date in this matter shall be continued to
17 February 8, 2016, and that pretrial motions shall be filed no later than January 4, 2016.

18 For the foregoing reasons, Defendant's motion to continue the trial date and the pretrial
19 motions deadline (Dkt. No. 18) is GRANTED.

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1 DATED this 19 day of November 2015.

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8 John C. Coughenour
9 UNITED STATES DISTRICT JUDGE
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